



Rep. Carolyn H. Krause

Filed: 4/7/2005

09400HB3040ham001

LRB094 06559 BDD 44536 a

1 AMENDMENT TO HOUSE BILL 3040

2 AMENDMENT NO. _____. Amend House Bill 3040 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Mental Health and Developmental
5 Disabilities Administrative Act is amended by changing Section
6 18.4 as follows:

7 (20 ILCS 1705/18.4)

8 Sec. 18.4. Community Mental Health Medicaid Trust Fund;
9 reimbursement.

10 (a) The Community Mental Health Medicaid Trust Fund is
11 hereby created in the State Treasury.

12 (b) Except as otherwise provided in this Section, any funds
13 paid to the State by the federal government under Title XIX or
14 Title XXI of the Social Security Act for services delivered by
15 community mental health services providers, and any interest
16 earned thereon, shall be deposited directly into the Community
17 Mental Health Medicaid Trust Fund. Beginning with State fiscal
18 year 2005 and until the effective date of this amendatory Act
19 of the 94th General Assembly, the first \$95,000,000 received by
20 the Department shall be deposited 26.3% into the General
21 Revenue Fund and 73.7% into the Community Mental Health
22 Medicaid Trust Fund. Amounts received in excess of \$95,000,000
23 in any State fiscal year shall be deposited 50% into the
24 General Revenue Fund and 50% into the Community Mental Health

1 Medicaid Trust Fund. On and after the effective date of this
2 amendatory Act of the 94th General Assembly, 100% of any funds
3 paid to the State by the federal government under Title XIX or
4 Title XXI of the Social Security Act for services delivered by
5 community mental health services providers, and any interest
6 earned thereon, shall be deposited directly into the Community
7 Mental Health Medicaid Trust Fund. The Department shall analyze
8 the budgeting and programmatic impact of this funding
9 allocation and report to the Governor and the General Assembly
10 the results of this analysis and any recommendations for
11 change, no later than 30 days after the effective date of this
12 amendatory Act of the 94th General Assembly. This analyses must
13 include the status of Medicaid billing for Fiscal Year 2005
14 ~~December 31, 2005.~~

15 (c) The Department shall reimburse community mental health
16 services providers for Medicaid-reimbursed mental health
17 services provided to eligible individuals. Moneys in the
18 Community Mental Health Medicaid Trust Fund may be used for
19 that purpose.

20 (d) As used in this Section:

21 "Medicaid-reimbursed mental health services" means
22 services provided by a community mental health provider under
23 an agreement with the Department that is eligible for
24 reimbursement under the federal Title XIX program or Title XXI
25 program.

26 "Provider" means a community agency that is funded by the
27 Department to provide a Medicaid-reimbursed service.

28 "Services" means mental health services provided under one
29 of the following programs:

- 30 (1) Medicaid Clinic Option;
- 31 (2) Medicaid Rehabilitation Option;
- 32 (3) Targeted Case Management.

33 (Source: P.A. 92-597, eff. 6-28-02; 93-841, eff. 7-30-04.)

1 Section 10. The State Finance Act is amended by changing
2 Section 8g as follows:

3 (30 ILCS 105/8g)

4 Sec. 8g. Fund transfers.

5 (a) In addition to any other transfers that may be provided
6 for by law, as soon as may be practical after the effective
7 date of this amendatory Act of the 91st General Assembly, the
8 State Comptroller shall direct and the State Treasurer shall
9 transfer the sum of \$10,000,000 from the General Revenue Fund
10 to the Motor Vehicle License Plate Fund created by Senate Bill
11 1028 of the 91st General Assembly.

12 (b) In addition to any other transfers that may be provided
13 for by law, as soon as may be practical after the effective
14 date of this amendatory Act of the 91st General Assembly, the
15 State Comptroller shall direct and the State Treasurer shall
16 transfer the sum of \$25,000,000 from the General Revenue Fund
17 to the Fund for Illinois' Future created by Senate Bill 1066 of
18 the 91st General Assembly.

19 (c) In addition to any other transfers that may be provided
20 for by law, on August 30 of each fiscal year's license period,
21 the Illinois Liquor Control Commission shall direct and the
22 State Comptroller and State Treasurer shall transfer from the
23 General Revenue Fund to the Youth Alcoholism and Substance
24 Abuse Prevention Fund an amount equal to the number of retail
25 liquor licenses issued for that fiscal year multiplied by \$50.

26 (d) The payments to programs required under subsection (d)
27 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
28 pursuant to appropriation, from the special funds referred to
29 in the statutes cited in that subsection, rather than directly
30 from the General Revenue Fund.

31 Beginning January 1, 2000, on the first day of each month,
32 or as soon as may be practical thereafter, the State
33 Comptroller shall direct and the State Treasurer shall transfer

1 from the General Revenue Fund to each of the special funds from
2 which payments are to be made under Section 28.1(d) of the
3 Horse Racing Act of 1975 an amount equal to 1/12 of the annual
4 amount required for those payments from that special fund,
5 which annual amount shall not exceed the annual amount for
6 those payments from that special fund for the calendar year
7 1998. The special funds to which transfers shall be made under
8 this subsection (d) include, but are not necessarily limited
9 to, the Agricultural Premium Fund; the Metropolitan Exposition
10 Auditorium and Office Building Fund; the Fair and Exposition
11 Fund; the Standardbred Breeders Fund; the Thoroughbred
12 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

13 (e) In addition to any other transfers that may be provided
14 for by law, as soon as may be practical after the effective
15 date of this amendatory Act of the 91st General Assembly, but
16 in no event later than June 30, 2000, the State Comptroller
17 shall direct and the State Treasurer shall transfer the sum of
18 \$15,000,000 from the General Revenue Fund to the Fund for
19 Illinois' Future.

20 (f) In addition to any other transfers that may be provided
21 for by law, as soon as may be practical after the effective
22 date of this amendatory Act of the 91st General Assembly, but
23 in no event later than June 30, 2000, the State Comptroller
24 shall direct and the State Treasurer shall transfer the sum of
25 \$70,000,000 from the General Revenue Fund to the Long-Term Care
26 Provider Fund.

27 (f-1) In fiscal year 2002, in addition to any other
28 transfers that may be provided for by law, at the direction of
29 and upon notification from the Governor, the State Comptroller
30 shall direct and the State Treasurer shall transfer amounts not
31 exceeding a total of \$160,000,000 from the General Revenue Fund
32 to the Long-Term Care Provider Fund.

33 (g) In addition to any other transfers that may be provided
34 for by law, on July 1, 2001, or as soon thereafter as may be

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$1,200,000 from the General
3 Revenue Fund to the Violence Prevention Fund.

4 (h) In each of fiscal years 2002 through 2004, but not
5 thereafter, in addition to any other transfers that may be
6 provided for by law, the State Comptroller shall direct and the
7 State Treasurer shall transfer \$5,000,000 from the General
8 Revenue Fund to the Tourism Promotion Fund.

9 (i) On or after July 1, 2001 and until May 1, 2002, in
10 addition to any other transfers that may be provided for by
11 law, at the direction of and upon notification from the
12 Governor, the State Comptroller shall direct and the State
13 Treasurer shall transfer amounts not exceeding a total of
14 \$80,000,000 from the General Revenue Fund to the Tobacco
15 Settlement Recovery Fund. Any amounts so transferred shall be
16 re-transferred by the State Comptroller and the State Treasurer
17 from the Tobacco Settlement Recovery Fund to the General
18 Revenue Fund at the direction of and upon notification from the
19 Governor, but in any event on or before June 30, 2002.

20 (i-1) On or after July 1, 2002 and until May 1, 2003, in
21 addition to any other transfers that may be provided for by
22 law, at the direction of and upon notification from the
23 Governor, the State Comptroller shall direct and the State
24 Treasurer shall transfer amounts not exceeding a total of
25 \$80,000,000 from the General Revenue Fund to the Tobacco
26 Settlement Recovery Fund. Any amounts so transferred shall be
27 re-transferred by the State Comptroller and the State Treasurer
28 from the Tobacco Settlement Recovery Fund to the General
29 Revenue Fund at the direction of and upon notification from the
30 Governor, but in any event on or before June 30, 2003.

31 (j) On or after July 1, 2001 and no later than June 30,
32 2002, in addition to any other transfers that may be provided
33 for by law, at the direction of and upon notification from the
34 Governor, the State Comptroller shall direct and the State

1 Treasurer shall transfer amounts not to exceed the following
2 sums into the Statistical Services Revolving Fund:

3	From the General Revenue Fund	\$8,450,000
4	From the Public Utility Fund	1,700,000
5	From the Transportation Regulatory Fund	2,650,000
6	From the Title III Social Security and	
7	Employment Fund	3,700,000
8	From the Professions Indirect Cost Fund	4,050,000
9	From the Underground Storage Tank Fund	550,000
10	From the Agricultural Premium Fund	750,000
11	From the State Pensions Fund	200,000
12	From the Road Fund	2,000,000
13	From the Health Facilities	
14	Planning Fund	1,000,000
15	From the Savings and Residential Finance	
16	Regulatory Fund	130,800
17	From the Appraisal Administration Fund	28,600
18	From the Pawnbroker Regulation Fund	3,600
19	From the Auction Regulation	
20	Administration Fund	35,800
21	From the Bank and Trust Company Fund.....	634,800
22	From the Real Estate License	
23	Administration Fund	313,600

24 (k) In addition to any other transfers that may be provided
25 for by law, as soon as may be practical after the effective
26 date of this amendatory Act of the 92nd General Assembly, the
27 State Comptroller shall direct and the State Treasurer shall
28 transfer the sum of \$2,000,000 from the General Revenue Fund to
29 the Teachers Health Insurance Security Fund.

30 (k-1) In addition to any other transfers that may be
31 provided for by law, on July 1, 2002, or as soon as may be
32 practical thereafter, the State Comptroller shall direct and
33 the State Treasurer shall transfer the sum of \$2,000,000 from
34 the General Revenue Fund to the Teachers Health Insurance

1 Security Fund.

2 (k-2) In addition to any other transfers that may be
3 provided for by law, on July 1, 2003, or as soon as may be
4 practical thereafter, the State Comptroller shall direct and
5 the State Treasurer shall transfer the sum of \$2,000,000 from
6 the General Revenue Fund to the Teachers Health Insurance
7 Security Fund.

8 (k-3) On or after July 1, 2002 and no later than June 30,
9 2003, in addition to any other transfers that may be provided
10 for by law, at the direction of and upon notification from the
11 Governor, the State Comptroller shall direct and the State
12 Treasurer shall transfer amounts not to exceed the following
13 sums into the Statistical Services Revolving Fund:

14	Appraisal Administration Fund	\$150,000
15	General Revenue Fund	10,440,000
16	Savings and Residential Finance	
17	Regulatory Fund	200,000
18	State Pensions Fund	100,000
19	Bank and Trust Company Fund	100,000
20	Professions Indirect Cost Fund	3,400,000
21	Public Utility Fund	2,081,200
22	Real Estate License Administration Fund	150,000
23	Title III Social Security and	
24	Employment Fund	1,000,000
25	Transportation Regulatory Fund	3,052,100
26	Underground Storage Tank Fund	50,000

27 (l) In addition to any other transfers that may be provided
28 for by law, on July 1, 2002, or as soon as may be practical
29 thereafter, the State Comptroller shall direct and the State
30 Treasurer shall transfer the sum of \$3,000,000 from the General
31 Revenue Fund to the Presidential Library and Museum Operating
32 Fund.

33 (m) In addition to any other transfers that may be provided
34 for by law, on July 1, 2002 and on the effective date of this

1 amendatory Act of the 93rd General Assembly, or as soon
2 thereafter as may be practical, the State Comptroller shall
3 direct and the State Treasurer shall transfer the sum of
4 \$1,200,000 from the General Revenue Fund to the Violence
5 Prevention Fund.

6 (n) In addition to any other transfers that may be provided
7 for by law, on July 1, 2003, or as soon thereafter as may be
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer the sum of \$6,800,000 from the General
10 Revenue Fund to the DHS Recoveries Trust Fund.

11 (o) On or after July 1, 2003, and no later than June 30,
12 2004, in addition to any other transfers that may be provided
13 for by law, at the direction of and upon notification from the
14 Governor, the State Comptroller shall direct and the State
15 Treasurer shall transfer amounts not to exceed the following
16 sums into the Vehicle Inspection Fund:

17 From the Underground Storage Tank Fund \$35,000,000.

18 (p) On or after July 1, 2003 and until May 1, 2004, in
19 addition to any other transfers that may be provided for by
20 law, at the direction of and upon notification from the
21 Governor, the State Comptroller shall direct and the State
22 Treasurer shall transfer amounts not exceeding a total of
23 \$80,000,000 from the General Revenue Fund to the Tobacco
24 Settlement Recovery Fund. Any amounts so transferred shall be
25 re-transferred from the Tobacco Settlement Recovery Fund to the
26 General Revenue Fund at the direction of and upon notification
27 from the Governor, but in any event on or before June 30, 2004.

28 (q) In addition to any other transfers that may be provided
29 for by law, on July 1, 2003, or as soon as may be practical
30 thereafter, the State Comptroller shall direct and the State
31 Treasurer shall transfer the sum of \$5,000,000 from the General
32 Revenue Fund to the Illinois Military Family Relief Fund.

33 (r) In addition to any other transfers that may be provided
34 for by law, on July 1, 2003, or as soon as may be practical

1 thereafter, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$1,922,000 from the General
3 Revenue Fund to the Presidential Library and Museum Operating
4 Fund.

5 (s) In addition to any other transfers that may be provided
6 for by law, on or after July 1, 2003, the State Comptroller
7 shall direct and the State Treasurer shall transfer the sum of
8 \$4,800,000 from the Statewide Economic Development Fund to the
9 General Revenue Fund.

10 (t) In addition to any other transfers that may be provided
11 for by law, on or after July 1, 2003, the State Comptroller
12 shall direct and the State Treasurer shall transfer the sum of
13 \$50,000,000 from the General Revenue Fund to the Budget
14 Stabilization Fund.

15 (u) On or after July 1, 2004 and until May 1, 2005, in
16 addition to any other transfers that may be provided for by
17 law, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts not exceeding a total of
20 \$80,000,000 from the General Revenue Fund to the Tobacco
21 Settlement Recovery Fund. Any amounts so transferred shall be
22 retransferred by the State Comptroller and the State Treasurer
23 from the Tobacco Settlement Recovery Fund to the General
24 Revenue Fund at the direction of and upon notification from the
25 Governor, but in any event on or before June 30, 2005.

26 (v) In addition to any other transfers that may be provided
27 for by law, on July 1, 2004, or as soon thereafter as may be
28 practical, the State Comptroller shall direct and the State
29 Treasurer shall transfer the sum of \$1,200,000 from the General
30 Revenue Fund to the Violence Prevention Fund.

31 (w) In addition to any other transfers that may be provided
32 for by law, on July 1, 2004, or as soon thereafter as may be
33 practical, the State Comptroller shall direct and the State
34 Treasurer shall transfer the sum of \$6,445,000 from the General

1 Revenue Fund to the Presidential Library and Museum Operating
2 Fund.

3 (x) In addition to any other transfers that may be provided
4 for by law, on January 15, 2005, or as soon thereafter as may
5 be practical, the State Comptroller shall direct and the State
6 Treasurer shall transfer to the General Revenue Fund the
7 following sums:

8 From the State Crime Laboratory Fund, \$200,000;

9 From the State Police Wireless Service Emergency Fund,
10 \$200,000;

11 From the State Offender DNA Identification System
12 Fund, \$800,000; and

13 From the State Police Whistleblower Reward and
14 Protection Fund, \$500,000.

15 (y) In addition to any other transfers that may be provided
16 for by law, on April 1, 2005, or as soon thereafter as may be
17 practical, at the direction of the Director of Public Aid, the
18 State Comptroller shall direct and the State Treasurer shall
19 transfer from the General Revenue Fund \$14,000,000 to the
20 Community Mental Health Medicaid Trust Fund.

21 (Source: P.A. 92-11, eff. 6-11-01; 92-505, eff. 12-20-01;
22 92-600, eff. 6-28-02; 93-32, eff. 6-20-03; 93-648, eff. 1-8-04;
23 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."